

Proposed Amendment to §373.2, Supervision of a Temporary Licensee

Please note that this is a PROPOSED amendment. It has NOT been adopted.

The current rules are in effect. Please [click this link](#) to view the current rules.

Introduction:

The Texas Board of Occupational Therapy Examiners proposes an amendment to §373.2, Supervision of a Temporary Licensee, concerning supervision requirements in general and with regard to supervision via telehealth.

Proposed changes to §373.2 reflect using the term “electronic/communications technology methods” to signal the use of electronic or communications technologies such as telephone, email, text, videoconferencing, etc. “Patients/” has been removed to remain consistent with other instances in the OT Rules when only “clients” is used as defined in §362.1(7).

Proposed changes to §373.2(b)(2) reflect that four hours of supervision per month must be conducted when the supervising OT and the occupational therapy assistant with a temporary license are both physically present together. Thus, for these four hours, the supervising OT may not supervise the temporary licensee via telehealth. During these hours, however, the OT may supervise the temporary licensee providing services to clients via telehealth if both the OT and temporary licensee are physically present together.

Proposed changes to §373.2(b)(3) maintain the current rule’s meaning: when providing occupational therapy services, the occupational therapy assistant with a temporary licensee must have supervision by an OT or OTA with a regular license who is on the premises.

Proposed changes to §373.2(c)(2), regarding the supervision of an occupational therapist with a temporary license, reflect that the specified encounters must be when the supervising OT and the temporary licensee are both physically present together. Thus, for these encounters, the supervising OT may not supervise the temporary licensee via telehealth. During these encounters, however, the OT may supervise the temporary licensee providing services to clients via telehealth if both the OT and temporary licensee are physically present together.

Proposed changes to §373.2(c)(3) maintain the current rule’s meaning: when providing occupational therapy services, the occupational therapist with a temporary license must have supervision by an OT with a regular license who is on the premises.

Please Note:

- For an introduction to and discussion of excerpted sections from the proposed amendment, please follow this link: <http://www.ptot.texas.gov/page/ot-acts-and-rules>.
- To read the proposed amendment with the preamble, please read the December 5, 2014 PDF edition of the [Texas Register](#).

Please note that any new words/phrases are underlined. Language that has been removed has a strikethrough and is in brackets.

§373.2. Supervision of a Temporary Licensee.

(a) Requirements for all temporary licensees:

- (1) A temporary licensee works under the supervision of a regular licensed occupational therapist, whose name and license number are on file on the Board's "Supervision of a Temporary Licensee" form.

(2) All documentation completed by an individual holding a temporary license which becomes part of the patient's/client's permanent file, must be approved and co-signed by the supervising occupational therapist.

(3) Temporary licensees may not supervise anyone.

(4) A temporary licensee does not become a regular licensee with those privileges until the regular license is in hand.

(b) Supervision of an occupational therapy assistant with a temporary license includes:

(1) sixteen hours of supervision a month of which at least twelve hours are through electronic/communications technology methods ~~[telephone]~~, written report or conference, including the review of progress of ~~[patients/]~~ clients assigned, ~~[,]~~ plus

(2) four or more hours of physical presence supervision a month ~~[which are face-to-face, real-time supervision]~~ with the temporary licensee providing services to one or more ~~[patients/]~~ clients.

(3) When providing occupational therapy services, a temporary licensee must have ~~[on-site]~~ supervision by an occupational therapist or occupational therapy assistant who is on the premises and holds ~~[with]~~ a regular license ~~[when providing occupational therapy services]~~.

(c) Supervision of an occupational therapist with a temporary license includes documentation regarding:

(1) frequent communication between the supervising occupational therapist and the temporary licensee by electronic/communications technology methods ~~[telephone]~~, written report or conference, including the review of progress of ~~[patients/]~~ clients assigned, ~~[,]~~ plus

(2) encounters twice a month where the occupational therapist directly observes the temporary licensee providing services to one or more ~~[patients/]~~ clients with physical presence ~~[face-to-face, real-time,]~~ interaction.

(3) When providing occupational therapy services, a temporary licensee must have ~~[on-site]~~ supervision by an occupational therapist who is on the premises and holds ~~[with]~~ a regular license ~~[when providing occupational therapy services]~~.